

Field,
Garrison,
Gregg,
Houston,
Jarvis,
Knittle,

Pope,
Terrell,
Upshaw,
Woods.
Woodward.

NAYS—10.

Allen,
Bell,
Burney,
Calhoun,
Claiborne,

Davis,
Douglass of G,
Frank,
Harrison,
Lane.

ABSENT—2.

Glasscock,

Stinson.

FIFTY-EIGHTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 18, 1887. }

The Senate met pursuant to adjournment.

The President and President pro tem. being absent,

Secretary Ramey occupied the chair.
Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

The first thing announced in order was the election of a President pro tem. for the day.

On motion of Senator Frank,

It was agreed to ballot for a President pro tem. for the day.

SENATOR FRANK

Nominated Senator Terrell for President pro tem. for the day.

SENATORS LANE, BURNEY AND GLASSCOCK

Were appointed as tellers.

The ballot being cast up,
Senator Terrell received twenty-two votes,

Senator Harrison received one vote, and

Senator Garrison received one vote.

SENATOR TERRELL,

Having received a majority of all the votes cast, was declared elected President pro tem. for the day, and was administered the oath of office and occupied the chair.

On motion of Senator Knittle,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Frank,
Senator Field was excused for three days on account of important business.

On motion of Senator Houston,
Senator Pope was excused for the day on account of sickness.

On motion of Senator Knittle,
Senator Stinson was excused from attendance yesterday on account of sickness.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, TEXAS, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House refuses to concur in the Senate amendments to

House bill No. 101.

"An act to amend sections 1 and 4, as amended by an act entitled 'an act to amend sections 1 and 4 of an act to regulate the sale of spirituous, vinous and malt liquors, or medicated bitters; to fix the rate of occupation taxes upon all persons, firms or association of persons engaged in the sale of spirituous, vinous or malt liquors, or medicated bitters; to define the time and manner of collecting such tax, and to affix penalties for failure to pay the same, and to repeal all laws and parts of laws in conflict with the provisions of this act,' approved April 4, 1881."

And,

That the House does concur in Senate amendments to

House bill No. 122.

"An act to amend section 13, of an act entitled 'an act to amend section 13 of an act to redistrict the State into judicial districts, and fix the times for holding courts therein, and to provide for the election of judges and district attorneys in said districts, at the next general election to be held on the first Tuesday after the first Monday in November, 1884,' approved March 31, 1885."

And

That the House does not concur in Senate amendments to House bill No. 24, known as the "reformatory bill," asks for a conference committee, and that Messrs. Tate, Moore of Travis, and Biard have been appointed as such committee upon the part of House.

Also,

That the House refuses to concur in Senate amendment to

House bill No. 121.

"An act to amend Article 2335, of chapter 1, of title 40, of the Revised Civil Statutes of Texas."

Also,

The House has passed substitute House bill No. 592.

"An act to provide for the more efficient collection of occupation taxes levied upon liquor dealers;" ayes 86, nays 3.

Also,

Substitute House bill No. 19.

"An act to provide for the teaching of physiology and hygiene in the public free schools of the State of Texas."

And,

That the House does concur in the amendments to House bill No. 377.

"An act to authorize cities and towns to levy and collect taxes for the construction or purchase of public buildings, water works, sewers, improvements of streets and other permanent improvements, and to issue bonds therefor, and to validate certain bonds heretofore issued, and to repeal all laws in conflict therewith."

Also,

That the House has passed substitute Senate bill No. 44.

"An act to require railway corporations, when they fence their right of way, or where they have already fenced it, to leave or make certain crossings or openings therein, and to provide a penalty for the violation thereof."

Also,

Substitute House bills Nos. 344 and 417.

"An act to amend Articles 4751 and 4756 of chapter 4, title 95, of the Revised Civil Statutes, and to add thereto Article 4756a so as to provide a lien on land sold for taxes in favor of the purchaser, where the deed is inoperative by reason of informalities in assessments or sales."

WILL LAMBERT,
Chief Clerk House of Representatives.

REPORTS OF STANDING COMMITTEES.

BY SENATOR FRANK:

COMMITTEE ROOM, }
AUSTIN, March 17, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 323, being

"An act for the relief of J. C. Patton," and find the same correctly engrossed.

FRANK, chairman.

BY SENATOR GREGG:

COMMITTEE ROOM, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Internal Improvements, to whom was referred House bill No. 311, entitled:

"An act to define pooling by railway corporations and their officers; to prohibit the same, and to provide a penalty therefor," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass and that it be considered in connection with Senate bill No. 221.

All of which is respectfully submitted.

GREGG, chairman.

Bill read first time.

BY SENATOR DOUGLASS OF JEFFERSON:

COMMITTEE ROOM, }
AUSTIN, March 16, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Public Health, to whom was referred House bill No. 269, entitled:

"An act to create and establish boards of health in the unincorporated towns and villages of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

DOUGLASS of Jefferson, chairman.
Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR BURNEY:

"Resolved, That the chairman of the special committee on matter of the Willis investigation, be, and he is hereby authorized, to have printed as part of the Record, such portions of the testimony given before said committee, as he may deem proper."

SENATOR STINSON

Moved to amend by saying that the entire testimony shall be published in pamphlet form, and so printed shall be placed in the hands of each member of the Senate.

SENATORS GREGG AND STINSON

Favored the amendment, and

SENATORS BURNEY, CAMP, HOUSTON
AND CLAIBORNE

Opposed the amendment.

SENATOR LANE

Moved to amend by adding, except written testimony, provided that the chairman may print such synopsis of the written testimony as he may deem proper.

SENATORS M'DONALD, HOULTON AND
BURGES

Favored the amendment.

SENATOR ALLEN

Spoke against the amendment and the resolution.

SENATOR BURNEY

Moved to lay the resolution and all the amendments on the table.

Lost.

The amendment to the amendment was adopted.

SENATOR GLASSCOCK

Moved to amend by having the same printed in the Journals instead of in pamphlet form.

SENATOR STINSON

Spoke against,
And,

SENATOR GLASSCOCK

Spoke in favor of the amendment,
And,

It was adopted.

The amendment as amended was adopted.

The resolution as amended was adopted by the following vote:

YEAS—24.

Armistead, Frank,
Bell, Garrison,
Burgess, Glasscock,
Camp, Gregg,
Claiborne, Harrison,
Davis, Jarvis,
Douglass of J, Knittle,
Douglass, of G, Lane,

McDonald,
Pope,
Simkins,
Stinson,

Terrell.
Upshaw,
Woods,
Woodward.

NAYS—3.

Allen,
Burney,

Calhoun.

ABSENT—2.

Abercrombie,

Houston.

BY SENATOR LANE:

A bill to be entitled:

"An act to amend section 3 of an act entitled 'an act to provide for the more efficient management of the Texas State penitentiaries, and to make an appropriation therefor,' approved April 18, 1883."

Referred to Committee on Penitentiaries.

BY SENATOR DAVIS:

A bill to be entitled:

"An act to amend Articles 1213, 1214, 1215 and 1216 of the Revised Civil Statutes."

Referred to Judiciary Committee No. 1.

BY SENATOR DOUGLASS OF JEFFERSON:

"An act to define the qualifications of county officers."

Referred to Judiciary Committee No. 2.

On motion of Senator Stinson,

The Senate refused to recede from its amendments to House bill No. 101 and a conference committee was asked for, and

SENATORS STINSON, SIMKINS AND BELL

Were appointed on the conference committee on the part of the Senate.

On motion of Senator Harrison,

Senate bill No. 256.

"An act to amend Articles 4251, 4252, 4253, 4254 and 4255, chapter 10, title 84, of the Revised Civil Statutes of the State of Texas," was taken up and read second time with committee amendments.

The committee amendments were acted on severally and adopted.

SENATOR HARRISON

Spoke in support of the bill.

SENATOR ARMISTEAD

Moved to amend section 4255 by add-

ing after the word "company," in line 9, page 3, "or shall willfully or negligently detain the transportation of any freight or passenger longer than a reasonable time."

SENATORS HARRISON AND ARMISTEAD

Favored the amendment, and

SENATORS POPE AND TERRELL

Opposed it and it was

Lost.

The bill was ordered engrossed.

On motion of Senator Frank,

Senate bill No. 277,

"An act to amend an act authorizing the refunding from the State Treasury, from deposits made to special fund, to parties who may have paid the same in error, and who may have received no consideration therefor, approved April 14, 1883,"

Was taken up and read second time with favorable report.

SENATOR FRANK

Offered a substitute for the bill, the caption of which is as follows:

A bill to be entitled:

"An act to authorize the State Treasurer to refund moneys deposited in the Treasury under an act of the Twelfth Legislature passed July 21, 1870, to parties who have failed to get their patents, or who have gotten patents under said act, and have had the same cancelled, etc."

The substitute was adopted and was ordered engrossed.

On motion of Senator Frank,

The constitutional rule requiring bills to be read on three several days was suspended, and the bill was placed on its third reading and final passage by the following vote:

YEAS—26.

Abercrombie,	Garrison,
Allen,	Glasscock,
Armistead,	Gregg,
Bell,	Harrison,
Burges,	Houston,
Burney,	Knittle,
Calhoun,	Lane,
Camp,	McDonald,
Claiborne,	Pope,
Davis,	Simkins,
Douglass of J,	Stinson,
Douglass of G,	Woods,
Frank,	Woodward.

NAYS—3.

Jarvis,
Terrell,

Upshaw,

The bill was read third time and passed by the following vote:

YEAS—22.

Abercrombie,	Douglass of G,
Allen,	Frank,
Armistead,	Garrison,
Bell,	Glasscock,
Burges,	Gregg,
Burney,	Harrison,
Calhoun,	Knittle,
Camp,	McDonald,
Claiborne,	Pope,
Davis,	Woods,
Douglass of J	Woodward.

NAYS—6

Jarvis,
Lane,
Simkins,

Stinson,
Terrell,
Upshaw.

ABSENT—1.

Houston,

On motion of Senator Burney,
Senate bill No 153,

"An act to regulate the practice of pharmacy in the State of Texas," was taken up and read a second time with committee substitute.

On motion of Senator Pope,

The committee substitute was adopted.

On motion of Senator Pope,

It was agreed to consider the bill section by section.

SENATOR STINSON

Moved to amend by striking out the words "unless a qualified pharmacist," in line 2, section 1, of the bill.

SENATOR STINSON

Spoke in favor of the amendment.

SENATOR GREGG

Moved to

Substitute the amendment as follows:

"Strike out of section 1, all after the word, 'unlawful,' in line 2, down to and including word 'or,' in line 4."

SENATOR GREGG

Spoke in favor of his substitute, and it was adopted as substitute for amendment.

SENATOR LANE

Opposed the adoption of the amendment as a part of the bill.

SENATORS BELL, WOODS AND POPE

Spoke against the amendment and against.

SENATOR BURNEY

Spoke in favor of the bill.

SENATOR SIMKINS

Moved to

Add to bill

"Section 19. The provisions of this act shall only apply to drug stores in incorporated towns and cities of Texas"

SENATOR SIMKINS

Spoke in favor of the amendment.

On motion of Senator Woods, The bill and amendments were postponed indefinitely by the following vote:

YEAS—15.

Abercrombie,	Lane,
Allen,	McDonald,
Bell,	Pope,
Calhoun,	Stinson,
Camp,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woods.
Frank,	

NAYS—10.

Burges,	Harrison,
Burney,	Houston,
Claiborne,	Knittle,
Garrison,	Simkins,
Glasscock,	Woodward

ABSENT—3.

Armistead,	Jarvis.
Douglass of G,	

SENATOR GREGG

Announced a pair with Senator Jarvis, the former would have voted nay, the latter yea.

SENATOR STINSON

Moved to reconsider the vote just taken, and to lay that motion on the table.

SENATOR SIMKINS

Moved a call of the Senate.

Call sustained.

Roll called, and

Senators Douglass of Grayson and Jarvis were found to be absent without excuse.

On motion of Senator Woods, The call was suspended.

SENATOR LANE

Moved to adjourn till 8 o'clock p. m.

Lost by the following vote:

YEAS—10.

Burges,	Knittle,
Burney,	Lane,
Claiborne,	McDonald,
Garrison,	Simkins,
Houston,	Woodward

NAYS—17.

Abercrombie,	Glasscock,
Allen,	Gregg,
Armistead,	Harrison.
Bell,	Pope,
Calhoun,	Stinson.
Camp,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woods.
Frank,	

ABSENT—2.

Douglass of G,	Jarvis,
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SENATOR LANE

Moved to adjourn till 3:15 o'clock p. m. Lost.

SENATOR BELL

Moved the previous question on the motion to table the motion to reconsider. Seconded, and main question ordered.

The motion to table was adopted by the following vote:

YEAS—14.

Abercrombie,	Douglass of J,
Allen,	Frank,
Armistead,	McDonald,
Bell,	Pope,
Calhoun,	Stinson,
Camp,	Upshaw,
Davis,	Wood.

NAYS—12.

Burges,	Houston,
Burney,	Knittle,
Claiborne,	Lane,
Garrison,	Simkins,
Glasscock,	Terrell,
Harrison,	Woodward.

ABSENT—2.

Douglass of G, Jarvis.

SENATOR GREGG

Announced a pair with Senator Jarvis, the former would have voted nay, the latter yea.

The following references were made: House bills Nos. 344 and 417, and substitute House bill No. 592 were referred to Committee on Finance,

And,

Substitute House bill No. 19 to Committee on Education.

On motion of Senator Houston, Senate joint resolution No. 26, was made the special order for to-morrow after morning call, and from day to day until disposed of.

On motion of Senator Bell, Senate bill No. 323.

"An act for the relief of J. C. Patton," was taken up and read third time.

SENATOR SIMKINS

Opposed the bill, and

SENATOR STINSON

Favored it.

The bill was passed by the following vote:

YEAS—21.

Abercrombie,	Glasscock,
Allen,	Gregg,
Armistead,	Houston,
Bell,	Knittle,
Burges,	Lane,
Burney,	Pope,
Calhoun,	Stinson,
Claiborne,	Terrell,
Davis,	Upshaw,
Douglass of J,	Woodward.
Douglass of G,	

NAYS—7.

Camp,	McDonald,
Frank,	Simkins,
Garrison,	Woods.
Harrison,	

ABSENT—1.

Jarvis,

SENATOR FRANK

Sent up the following privileged reports:

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate.

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 299, being:

"An act to provide for furnishing the new capitol and to improve the capitol grounds, and make an appropriation for these purposes," and find the same correctly engrossed.

FRANK, chairman.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has passed

House bill No. 345.

"An act to amend Articles 4257 and 4258, of the Revised Civil Statutes of the State of Texas, and to add thereto Articles 4257a, 4257b, 4257c and 4257d, prescribing certain duties to be performed by railroad companies doing business in this State."

WILL LAMBERT, chief clerk,
House of Representatives.

On motion of Senator Calhoun, Senate bill No. 68,

"An act to validate the official acts of Wm. Veale, a notary public of Stephens' county, Texas, and to permit him to file the bond and oath required by law of notaries public," was taken up and read second time.

SENATOR CALHOUN

Substituted for section 2 the following:

"Section 2. Whereas, the legality and validity of many titles to property and other matters of public and private interest are involved in the official acts of the said Wm. Veale as a notary public for said county of Stephens, and

"Whereas, the present session is near its close, therefore, an emergency exists, and an imperative public necessity is created that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

SENATOR DOUGLASS OF JEFFERSON

Opposed the amendment.

The following message was received from the House:

HOUSE OF REPRESENTATIVES, }
AUSTIN, TEXAS, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House

to inform the Senate that the House concurs in the Senate amendments to House amendments to Senate bill No. 2:

"An act to restore to and confer upon the county court of Live Oak, Karns and Throckmorton counties the civil and criminal jurisdiction heretofore belonging to said courts under the Constitution and General Statutes of the State, to conform the jurisdiction of the district courts of said counties to such change, and to repeal all laws in conflict with the provisions of this act,"

And
The House amends said amendment by striking out "Cass county."

Also,
That the House insists upon its amendments to Senate bill No. 281.

"An act to create a commission of arbitration and award and define the powers and duties thereof, and to make an appropriation to pay the salaries of the judges thereof," asks for a free conference committee, and has appointed Messrs. Groce, Truit and Fuller as such committee upon the part of the House.

WILL LAMBERT,
Chief Clerk House of Representatives.

On motion of Senator Pope,
The Senate adjourned till 3 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Senator Pope, President pro tem., in the chair.

Roll called.

Quorum present.

House bill No. 385.

"An act to postpone the levy upon and sale of real and personal property for taxes assessed for the year, 1886, in the counties herein named, until the first day of November, A. D. 1887," was laid before the Senate as unfinished business, with amendments pending.

SENATOR BURNEY

Offered a substitute for the bill, and pending amendments, the caption of which is as follows:

"A bill to be entitled an act to postpone the sale of real and personal property of resident owners of Texas for taxes assessed for the year 1886 until the first Monday in August, 1887," and the substitute was

Adopted.

SENATOR WOODS

Moved to

Amend by adding to the bill:

"Provided, the counties of Lavaca, Colorado and Wharton are not included in this act."

SENATOR ALLEN

Moved to

Amend amendment by

"Also exempting Collin and Denton counties."

Accepted.

SENATOR UPSHAW

Moved to

"Add to the list of exempted counties, Hill, Johnson and Ellis."

Accepted,

SENATOR STINSON

Moved to

"Add Hunt, Hopkins, Delta, Franklin and Camp counties to exemptions."

Accepted.

SENATOR GREGG

Moved to

"Add the counties of Anderson, Cherokee, Henderson and Van Zandt to exemptions."

Accepted.

SENATOR DOUGLASS OF GRAYSON

Moved to add Grayson and Cook counties to list of exemptions.

Accepted.

SENATOR HOUSTON

Moved to amend by adding the counties of Wheeler, Oldham and Donley, and the counties attached to them for judicial purposes, and the county of Crosby and the counties that may at this session of the Legislature be attached to said county for judicial purposes.

Accepted.

SENATOR DOUGLASS OF JEFFERSON

Moved to add Liberty, Chambers, Jefferson, Orange, Newton, Jasper, Tyler, Hardin, Polk and San Jacinto counties to the exemptions.

Accepted.

SENATOR ABERCROMBIE.

Moved to add the counties of Trinity, Walker, Montgomery and Harris to list of exemptions.

Accepted.

SENATOR JARVIS

Moved to add Tarrant county to emptied list.
Accepted.

SENATOR TERRELL

Moved to exempt the counties of Dallas, Kaufman and Rockwall.
Accepted.

SENATOR CLAIBORNE

Moved to add Galveston, Brazoria and Matagorda.
Accepted.

SENATOR DOUGLASS OF JEFFERSON

Moved to add all of organized counties not named in the amendment.

SENATOR ALLEN

Called for the reading of the bill.

The President held that the amendment should be acted on before the bill should be read.

SENATOR ALLEN

Appealed from the decision of the chair.

The chair was sustained.

SENATOR DOUGLASS OF JEFFERSON,

Moved to amend by adding all other organized counties not named in the amendment.

The president ruled the amendment out of order.

SENATOR DOUGLASS OF JEFFERSON

Appealed from the decision of the chair.

The chair was sustained by the following vote:

YEAS—19,

Abercrombie,	Gregg,
Armistead,	Harrison,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Calhoun,	Terrell,
Claiborne,	Upshaw,
Douglass of G,	Woods,
Frank,	Woodward.
Garrison.	

NAYS—4.

Allen,	Lane,
Douglass of J,	Stinson.

ABSENT—2.

Davis,	Glasscock.
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The amendment as amended was adopted by the following vote:

YEAS—24.

Abercrombie,	Garrison,
Allen,	Gregg,
Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Lane,
Calhoun,	Pope,
Claiborne,	Stinson,
Davis,	Terrell,
Douglass of G,	Upshaw,
Douglass of J,	Woods,
Frank,	Woodward.

NAYS—2.

Glasscock,	Harrison.
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SENATOR CALHOUN

Moved to amend by adding to the end of section 2, the following:

"Provided further, That all persons who seek the benefit of this act be required to pay interest on the amount of taxes due at the rate of 8 per cent per annum, from and after the first day of April, A. D. 1887."

SENATOR ALLEN

Opposed, and

SENATOR CALHOUN

Favored the amendment, and it was Adopted.

SENATOR CLAIBORNE

Moved to strike out "August," and insert "September."

SENATOR BURNEY

Moved the previous question on the amendment and on the bill. Seconded, and main question ordered.

The amendment was adopted by the following vote:

YEAS—17.

Allen,	Frank,
Armistead,	Glasscock,
Bell,	Houston,
Burges,	Jarvis,
Burney,	Knittle,
Camp,	Lane,
Claiborne,	Upshaw.
Davis,	Woodward.
Douglass of G,	

NAYS—12.

Abercrombie,	McDonald,
Calhoun,	Pope,
Douglass of J,	Simkins.
Garrison.	Stinson
Gregg,	Terrell,
Harrison,	Woods.

The bill was ordered engrossed by the following vote:

YEAS—15.

Armistead,	Houston,
Bell,	Jarvis,
Burges,	Knittle,
Burney,	Pope,
Calhoun,	Stinson,
Camp,	Terrell,
Davis,	Woodward.
Frank,	

NAYS—14.

Abercrombie,	Gregg,
Allen,	Harrison,
Claiborne,	Lane,
Douglass of J,	McDonald,
Douglass of G,	Simkins,
Garrison,	Upshaw,
Glasscock,	Woods.

SENATOR STINSON

Entered a motion to reconsider the vote just taken.

THE PRESIDENT

Gave notice of signing House bill No. 39.

"An act to amend section 46, chapter 25, of the acts of 1885, entitled 'an act to amend chapter 79 of the acts of 1883 entitled 'an act to amend section 46 of an act to encourage stockraising and to protect stockraisers,' approved April 22, 1879, and Amended April 4, 1881,' and approved April 12, 1883,"

And,

Substitute House bill No. 55,

"An act to fix the times for holding district courts in the several counties comprising the twenty-fifth judicial district of Texas, and to repeal all laws and parts of laws in conflict with the provisions of this act."

House bill No. 345 was referred to Committee on Internal Improvements.

House bill No. 53:

"An act to amend Article 324, title 10, chapter 1, of the Penal Code," was laid before the Senate, read third time and passed.

House bill No. 73:

"An act to amend Article 165, chapter 4, title 6, of the Penal Code of the State of Texas," was laid before the Senate, read third time and passed.

House bill No. 60.

"An act to amend Article 428 of section 1 of an act entitled 'an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create 426½ and to repeal Article 430 of chapter 5, title 13, of the Penal Code of the Revised Statutes, for the protection of fish and game,' approved March 15, A. D. 1881," was laid before the Senate, and

SENATOR DOUGLASS OF JEFFERSON

called up his motion to reconsider the vote by which his amendment striking out "September" was adopted.

The motion to reconsider was adopted, and the amendment was lost.

The bill was passed to third reading.

House bill No. 124.

"An act to amend Article 3635, title 73, of the Revised Civil Statutes," was laid before the Senate, read third time and passed.

House bill No. 89.

"An act to amend an act passed at the regular session of the Eighteenth Legislature, and approved April 18, 1883, entitled, 'an act to amend Articles 430, of section 1, and to repeal section 2, of an act entitled an act to amend Articles 423, 424, 425, 426, 427, 428, 429 and 430a, and to create Article 426½, and to repeal Article 430, of chapter 5, title 13, of the Penal Code, of the Revised Statutes, for the protection of fish and game,' approved March 15, 1881," was laid before the Senate.

SENATOR GREGG

Called up his motion to reconsider the vote by which the bill was passed.

The motion to reconsider was adopted.

SENATOR ARMISTEAD

Moved to strike out Marion county from the exempted counties.

SENATOR HARRISON

Moved to strike out McLennan and Falls counties.

Accepted.

SENATOR BURNEY

Moved to strike out Tom Green, Presidio and Pecos counties.

Accepted.

SENATOR STINSON

Moved to strike out Delta.
Accepted.

SENATOR SIMKINS

Moved to strike out Navarro county.
Accepted.

SENATOR JARVIS

Moved to strike out Tarrant county.
Accepted.

SENATOR GARRISON

Moved to amend by striking Rusk from the list of exempted counties from the provisions of this bill, except Articles 426, 426½.
Accepted.

SENATOR HARRISON,

By leave, sent up the following special committee report:

COMMITTEE ROOM, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Conference, to whom was referred House bill No. 81, entitled:

"An act to require railroads to pay their employes promptly and prescribing a penalty for failure to so pay them," with Senate amendments, have carefully examined the same, and beg leave to submit the the following recommendations:

1. That the Senate recede from amendment No. 1.
2. That the House concur in Senate amendment No. 2.
3. That the Senate recede from amendment No. 3.
4. That the Senate recede from amendment No. 4.

All of which is respectfully submitted.

HARRISON,
WOODS,
WOODWARD,
PRENDERGAST,
SHOWALTER,
GROCE,

Conferees on the part of the Senate.

Conferees on part of the House.

SENATOR FRANK

Sent up the following privileged reports:

COMMITTEE ROOM, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 336, being

"An act to reorganize the twenty-ninth, thirty-first, thirty-second, thirty-third, thirty fifth and thirty-ninth judicial district, and to create the forty-second judicial district of the State of Texas, and to fix the times of holding court therein, and to provide for the appointment and election of judges and district attorneys in the thirty-second and forty-second judicial districts, and to repeal all laws and parts of laws in conflict herewith," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared substitute Senate bill No. 277, being,

"An act to authorize the State Treasurer to refund moneys paid into the Treasury by parties for lands, under chapter 21 of the General Laws of the State of Texas, being an act entitled 'an act authorizing and requiring the Commissioner of the General Land Office to issue patents on certain settlers' claims of one hundred and sixty acres of land each, on payment of usual office fees and fifty cents per acre,' passed July 21, 1870, when such parties have failed to get their patents, or, having gotten them, they have been cancelled by a court of competent jurisdiction," and find the same correctly engrossed.

FRANK, chairman.

The following message was received from the Governor, read and ordered printed in the Journal:

EXECUTIVE OFFICE, }
AUSTIN, March 18, 1887. }

To the Senate of Texas:

I ask your advice and consent to the appointment of the following gentlemen as Notaries Public, in and for the counties named:

Anderson.

Joseph F Pills.

Archer.

Lillian Hart.

F E Dycus.

Austin.
 M D Cochran, Buckhorn.
 Bandera.
 J A Anglin.
 Bell.
 Wm J McCausland.
 Bexar.
 Jos W Maddox, S W Menger, E
 C Reed, Robt B Green, J J Stevens,
 W E Hilton, San Antonio.
 Bosque.
 M S Greer, Koppert.
 J P Grace, Walnut Springs.
 Bowie.
 Chas E Baird, J H Henderson, M
 Arbuckle, A J Purcel, M A Bassett, W
 R Clark, C A Hoakes, Texarkana.
 T L Lynch, New Boston.
 O P Taylor, Texarkana.
 J E Anderson, New Boston.
 S H Smith, Smelzer
 J H Smiltzer, S S Wathington, New
 Boston.
 A C Ward, R H Jones, De Kalb.
 R H Wathington, Hooks.
 S P Parker, Ingersol.
 A M Mass, McGinnis.
 J W Brayley, Joseph Peters, Bassett.
 Bowie.
 E R McClappin, Bassett.
 H M Barnes, Dalby Springs.
 S D Helms, Hooks.
 A D Helms, A C Disdale, Dalby
 Springs.
 A W Buron, Texarkana.
 D D Gupton, DeKalb.
 Brazoria.
 George W Meacham, Columbia.
 Brown.
 J F Lewis.
 H L Thomas.
 Uvalde Burns.
 Alex Conner.
 H A Adkinson.
 Caldwell.
 G A Williams, Luling.
 Callaghan.
 F S Bell.
 W H Clitt.
 A A Bell.
 Cass.
 J C Hutchinson, Sun City.
 I S Lacey, Cubberson.

Columbus Palmer, Dangerfield.
 M R Pinkerton, Sardes.
 W E Duncan, Avinger.
 J B Henderson, Red Hill.
 Collin.
 A P Carter, Graybill.
 Collingsworth.
 George W Boyd.
 Colorado.
 John H Mullin.
 Friench Simpson.
 A J Shaw.
 George Max.
 Walter C Jones.
 John R Newsorn.
 C W Harrison.
 Comanche.
 Eugene Green, S H Stokes, Com-
 anche.
 Cooke.
 N C Snider, Gainesville.
 W T Roberts.
 H L Stewart.
 P H Lannis.
 S B Garrett.
 E P Hhill,
 E A Blanton.
 Z H Mathis.
 Jno T Lewis.
 S J Brogelton.
 R D Bell.
 E B Walker.
 J C Murrell.
 W G Mullins.
 H E Eldridge.
 D E Bassett.
 W G Robinson.
 M A Morris.
 S W Lee.
 S C Carr.
 P M Tucker.
 J M Wright.
 R H Thomas.
 J M Milson.
 S B Dawes.
 W Q Blanton.
 D J Enderby.
 Thos. Willis.
 J M Yeokley.
 A B McCane.
 Hattie Bell, Gainesville.
 J W Pucket.
 R Sorels.
 J H Ford.
 R Patterson.
 Dallas.
 E D Foree, Reinhardt.
 Denton.
 J M Blount, L Fulton, O P Poce, W

J Austin, Silas D Ponder, W L Mc-
Cormick, D C Smith, C H Clements,
R W Terrell, J W Blankenship, J R
Jiegler, S J Carroll, James E Stringer,
J B Walker, Malt Daugherty, John M
Copiey, A C Ownsley, H C Ferguson,
Charles Everett, J B Butler, Denton.

James Eads, Roanoke.

A M Bush, Nane.

J C Wright, Garza.

W D Bonds, Waketon.

John Collier, F Miles, Pilot Point.

John W Berry, Justine.

J H Dagan, Bartonville.

A J NNance, Boliver.

Hugh McKiezie, J M Fox, Louisville.

James B Nelson, J Howard Smith,
Aubry.

F M Smith, Louisville.

G T Walton, Storey.

W H Bush, E F Bates, Stoyale.

J C Smith, Argyle.

DeWitt.

J C Woodworth.

Eastland.

W P Sebastian, Cisco.

Ellison.

Geo H Alderman, Waxahachie.

G F Haslam.

El Paso.

J C Lackland.

Geo B Loving.

G N Garcia, Sr.

L. H. Davis.

Fannin.

P C Thurmond, Bondam.

J J Moore.

Fisher.

S H Lyon.

Fort Bend.

L E Gibson.

Franklin.

T W Templeton, Winsboro.

Z P Langston, Mount Vernon.

J A Dozier, J M Thompoen, Purley.

H J Mitchell, Winsboro.

M H Cargill, Gray Rock.

L S Walker, Hagusport.

Frio.

W T Merriwether, Pearsall.

Gonzales.

F M Harwood.

N F Bell.

Grayson.

Tom Hardison, Whitewright.

Grimes.

C S Spencer, Navasota.

C C Rollo.

Hamilton.

W W Lynch, Gentry's Mills.

Hardeman.

J M Standter, Maryant.

Harrison.

Walter Currie, Jonesville.

W S Martin, Marshall.

Hill.

B T Vinson.

M S Mettler.

D J McClellan.

Hood.

W A Duke, T T Ewell, B M Estes,
Greenbury.

Hopkins.

S L Rogers, Gus Garrison, J K Mi-
lam, R S Blythe, C B Williams, Jo-
seph Brashear, T C Crome, A A Hen-
derson, W P Luach, Frank Gafford,
M McDowell, W B Cock, Sulphur
Springs.

Wilson A Green, H C Barker, B F
Stephens, Black Jack Grove.

Thomas C St. Clair, Sulphur Bluffs.

W D Bird, R L Askew, James W
Barker, Carroll's Prairie.

WJ Cline, Pueton.

Hopkins.

J W Anderson, T L Simms, Picton.

Will Long, Fairland.

R E Bertram, Riley Springs.

G M Christian, John Sparks, White
Oak.

J P Gist, Penn.

George W Downing, Miller Grove.

Howard Hargrave, Sulphur Bluff.

Hunt.

C B Jones, Greenville.

Jack.

T D Sporer.

S W Eastin.

Geo Spiller.

E W Nicholson.

Jones.

A H Kirkley, Anson.

Kaufman.

M H Gossett.

Lamar.

R J Patton, Paris

R W Draper, Chicota.

Lavaca.

H C Youngkin.
W G Chapman.
I H Anderson.
Isaac F. Clark.

Leon.

T L Bryan,
R E Lacy.

Marion.

W E Estes, P H Powell, George E
Biard, Lee Shenell, T B Powell, J O
Veal, A D Bauter, Jefferson.
C W Loomis, Kellyville.
A J B Garrett, Lasater.
W D Lanier, Lockett.
J G Mathews, Lodi.

Martin.

Adam Konz.
A Rawlins.

McLennan.

Fred S Mansfield, E M Ewing, Seph
Anderson, Waco.

Milam.

D C Barrett.
J M Ralston.
Thos H Branan.
J S Perry.
James Peeler,

Mitchell.

C M Forbes, Colorado.
K E Hoy.

Morris.

R D Hall, H E Henderson, J A
Huinant, Dangerfield.
D A Russell, Carson.
J H Johnson, Arnacher.
O P Boyd, J H Matthews, Beldin.
J M Smith, Carson.

Motley.

J M Campbell.

Navarro.

T J Meredith, George W Younger,
Dawson.
S H Kerr, David L Blackman, —
Chambliss, Ricqard Mayd, Corsicana.

Nueces.

C W Noun, G R Scott, Corpus
Christi.

Parker.

W J Carson.
R C McConnell.
J C Brady.

Polk.

S B Tackaberry.
A Goldberg.
J C Adams.
R E Corry.
T S Freeman.
J C Feagan.
O. E. Oates.

Presidio.

G H Brooks.
F W Harwood.

Rains.

H W Martin, Emory.

Red River.

J A Noseley, Onona.
T M Smith, Rosalie.
J Joplin, Bennett.

Robertson.

Phillip Reichert, T L Larkin, P W
Corr, New Baden.

Runnels.

Frank Grady, Ballinger.

San Jacinto.

W D McGowen.

Stephens.

J T Crawford, Crytoll Falls.
W J Haynes, Brakinridge.
S S Cook, Eolion.

Tarrant.

Geo Mulkey, Hyde Jennings, W R
Booth, T D Horenkamp, R H Orr
Walker Bascom, R H Griffin, Thos P
Martin, D W Humphreys, Ed T War-
ren, Toby Dunklin, Jas Patton, J C
Maples, W H Chapman, Fort Worth.

Taylor.

H H Johnson, K V Northington, N
A Taylor, M A Spornits, K K Leggett,
H H Luckett, G W Porter, Abiline.

Titus.

J G W Wood, Mount Pleasant.

Upshur.

T J Allison, Holloway.

Val Verde.

Chas T Wilmeth.

Van Zandt.

G R Goddard.
W A Coney.

Walker.

Chas. T Besser, Huntsville.

Webb.
Louis P Bryant, Laredo.

Wharton.
G G Kelley.
B D King.
R M Brown.

Wheeler.
J M Shaw.

Wichita.
M M Templeton, Wichita Falls.

Wilbarger.
W G Gross, Vernon.
C E McComas, Harrold.
D R Britt, Vernon.

Williamson.
Silas A Abbott, Brankiss.
William Scheyle, Gabriel Mills.

Wise.
G W Murphy, Pella.
Zavalla.

W H Robinson, Sema Vista.
Respectfully,

L. S. Ross,
Governor.

On motion of Senator Houston,
The Senate adjourned until 10
o'clock to-morrow morning.

FIFTY-NINTH DAY.

SENATE CHAMBER, }
AUSTIN, TEXAS, March 19, 1887. }
The Senate met pursuant to adjournment.

Senator Pope, President pro tem. in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Davis,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator Woods,

Senators McDonald, Camp and Simkins were excused from the morning session on account of important committee work.

REPORT OF STANDING COMMITTEES.

BY SENATOR FRANK:

COMMITTEE ROOM, }
AUSTIN, March 19, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 256, being

"An act to amend Articles 4251, 4252, 4253, 4254 and 4255, of chapter 10, of title 84, of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, }
AUSTIN, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 191, being:

"An act to provide for the appointment of district and county clerks pro tem in certain cases," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, }
AUSTIN, TEXAS, March 18, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Engrossed Bills have carefully examined and compared substitute Senate bill No. 244, being,

"An act to amend Article 3249 of chapter 2, and Articles 3293, 3294, 3295, 3296, 3304, 3306, 3307, 3308, 3310, 3312, 3327, 3329 and 3340 of chapter 4, title 54 of the Revised Civil Statutes of the State of Texas," and find the same correctly engrossed.

FRANK, chairman.

COMMITTEE ROOM, }
AUSTIN, March 19, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Penitentiaries, to whom was referred Senate bill No. 338, entitled:

"An act to amend section 3, of an act entitled 'an act to provide for the more efficient management of the Texas State Penitentiaries, and to make an appropriation therefor,' approved April 18, 1883," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do not pass.

All of which is respectfully submitted.

GARRISON, chairman.

Bill read first time.

BY SENATOR JARVIS:

COMMITTEE ROOM, }
AUSTIN, March 19, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Finance to whom was referred Senate bill No. 335, entitled:

"An act to authorize the Governor